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16 Attorneys for Defendant
17 EMC CORPORATION

18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20 SAN FRANCISCO DIVISION

21 BRET ROBERT OSBORN, MICHAEL
22 PFAFF, KATHLEEN ANN PFAFF and
23 MARTY GAYLE OSBORN, on behalf of
24 themselves, the general public, and all
25 others similarly situated,

26 Plaintiffs,

27 vs.

28 EMC CORPORATION,

Defendant.

CASE NO. C 04-00336 JSW (BZ)

**DEFENDANT EMC CORPORATION'S
WITHDRAWAL OF MOTION FOR
ATTORNEYS' FEES ON SALES-
RELATED CLAIMS AGAINST
PLAINTIFFS AND REQUEST TO TAKE
MOTION OFF CALENDAR**

[CALIFORNIA LABOR CODE § 218.5]

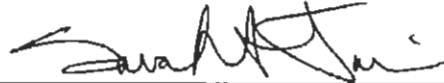
Date: February 1, 2006
Time: 10:00 a.m.
Hon: Bernard Zimmerman

1 The parties have resolved the issues between them regarding Defendant EMC
2 Corporation's motion for attorneys' fees. Therefore, EMC withdraws its motion for attorneys'
3 fees on sales-related claims against plaintiffs and requests that the Court take off calendar the
4 motion hearing scheduled for February 1, 2006 at 10:00 a.m.

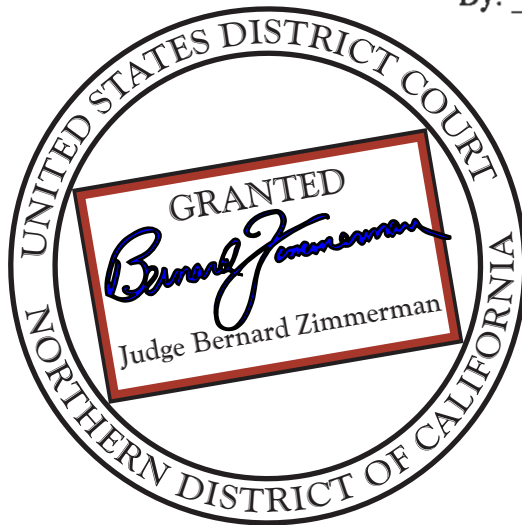
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6 DATED: January 24, 2006

PAUL, HASTINGS, JANOFSKY & WALKER LLP

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8 By: _____



SARAH A. JAIN
Attorneys for Defendant
EMC CORPORATION



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12 Defendant's request to take motion off calendar
13 is GRANTED. The February 1, 2006
14 hearing date is VACATED.

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28 dated: January 25, 2006